

MONTANA LEGISLATIVE HISTORY

BEST COPY
AVAILABLEChapter 224 19 81Bill H _____ S 191 Original bill & history C

H. Committee on <u>Highways & Transportation</u>	S. Committee on <u>Highways & Transportation</u>
Hearing Date(s) <u>Mar 18</u> <u>✓</u> C	Hearing Date(s) <u>Feb 09</u> <u>✓</u> C
<u>Mar 20</u> <u>✓</u> C	<u>Feb 12</u> <u>✓</u> C
_____ C	_____ C
_____ C	_____ C
Date Out <u>Mar 21</u> <u>✓</u> C	<u>Feb 12</u> <u>✓</u> C

Did this bill originate in an interim committee? Yes No

Committee _____

Report _____

Note: A conference committee was appointed, but its minutes were not recorded.

1/31	HEARING		
2/09	COMMITTEE REPORT—BILL PASSED AS AMENDED		
2/11	2ND READING PASSED	34	13
2/12	3RD READING PASSED	41	6
	TRANSMITTED TO HOUSE		
2/13	FIRST READING		
2/13	REFERRED TO BUSINESS & ECONOMIC DEVELOPMENT		
3/05	HEARING		
3/11	COMMITTEE REPORT—BILL CONCURRED		
3/14	2ND READING CONCURRED AS AMENDED	58	41
3/15	3RD READING CONCURRED	61	38
	RETURNED TO SENATE WITH AMENDMENTS		
3/23	MOTION FAILED TO NOT CONCUR WITH AMENDMENTS ON 2ND READING	17	29
3/23	2ND READING AMENDMENTS CONCURRED	28	19
3/25	3RD READING AMENDMENTS CONCURRED	31	18
4/02	SIGNED BY PRESIDENT		
4/03	SIGNED BY SPEAKER		
4/03	TRANSMITTED TO GOVERNOR		
4/08	VETOED		
	SENATE		
4/22	VETO OVERRIDE MOTION FAILED (34 VOTES NEEDED IN SENATE TO OVERRIDE VETO)	30	20

SB 191 INTRODUCED BY T. BECK

GENERALLY REVISE MOTOR VEHICLE
REGISTRATION AND TITLING LAWS
BY REQUEST OF DEPARTMENT OF JUSTICE

1/23	INTRODUCED		
1/24	REFERRED TO HIGHWAYS & TRANSPORTATION		
1/24	FIRST READING		
1/24	FISCAL NOTE REQUESTED		
1/29	FISCAL NOTE RECEIVED		
1/29	FISCAL NOTE PRINTED		
2/07	HEARING		
2/15	COMMITTEE REPORT—BILL PASSED AS AMENDED		
2/16	2ND READING PASSED AS AMENDED	48	0
2/18	3RD READING PASSED	49	0
	TRANSMITTED TO HOUSE		
3/04	FIRST READING		
3/04	REFERRED TO HIGHWAYS & TRANSPORTATION		
3/18	HEARING		
3/21	COMMITTEE REPORT—BILL CONCURRED AS AMENDED		
4/05	2ND READING CONCURRED	96	1
4/06	3RD READING CONCURRED	91	4
	RETURNED TO SENATE WITH AMENDMENTS		
4/09	2ND READING AMENDMENTS NOT CONCURRED	37	7
4/16	CONFERENCE COMMITTEE APPOINTED		
4/19	CONFERENCE COMMITTEE REPORT NO. 1		
4/20	2ND READING CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	47	2
4/22	3RD READING CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	46	2
	HOUSE		
4/18	CONFERENCE COMMITTEE APPOINTED		
4/19	CONFERENCE COMMITTEE REPORT NO. 1		
4/19	2ND READING CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	93	4
4/20	3RD READING CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	96	0

SENATE FINAL STATUS

SB 193

4/24 SIGNED BY PRESIDENT
 4/25 SIGNED BY SPEAKER
 4/25 TRANSMITTED TO GOVERNOR
 4/29 SIGNED BY GOVERNOR
 CHAPTER NUMBER 724

EFFECTIVE DATE: 10/01/91

SB 192 INTRODUCED BY FARRELL

END CERTAIN ELIGIBILITY FOR HIGHWAY PATROL OFFICERS'
 RETIREMENT BENEFITS

BY REQUEST OF BOARD OF PUBLIC EMPLOYEES' RETIREMENT

1/23	INTRODUCED		
1/24	REFERRED TO STATE ADMINISTRATION		
1/24	FIRST READING		
1/24	FISCAL NOTE REQUESTED		
1/29	HEARING		
1/29	COMMITTEE REPORT—BILL PASSED		
1/29	FISCAL NOTE RECEIVED		
1/29	FISCAL NOTE PRINTED		
1/30	2ND READING PASSED	48	0
1/31	3RD READING PASSED	49	0
	TRANSMITTED TO HOUSE		
2/01	FIRST READING		
2/01	REFERRED TO STATE ADMINISTRATION		
3/14	HEARING		
3/19	COMMITTEE REPORT—BILL CONCURRED AS AMENDED		
4/06	2ND READING CONCURRED AS AMENDED	71	24
4/06	ON MOTION RULES SUSPENDED TO PLACE ON 3RD READING THIS DAY		
4/06	3RD READING CONCURRED	77	19
	RETURNED TO SENATE WITH AMENDMENTS		
4/17	2ND READING AMENDMENTS NOT CONCURRED	49	0
4/18	CONFERENCE COMMITTEE APPOINTED		
4/22	CONFERENCE COMMITTEE REPORT NO. 1		
4/23	2ND READING CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	25	15
4/24	3RD READING CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	42	6
	HOUSE		
4/19	CONFERENCE COMMITTEE APPOINTED		
4/22	CONFERENCE COMMITTEE REPORT NO. 1		
4/23	2ND READING CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	88	3
4/23	3RD READING CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	92	6
4/25	SIGNED BY PRESIDENT		
4/29	SIGNED BY SPEAKER		
4/29	TRANSMITTED TO GOVERNOR		
5/01	SIGNED BY GOVERNOR CHAPTER NUMBER 735		

EFFECTIVE DATE: 7/01/91

SB 193 INTRODUCED BY HALLIGAN

ESTABLISHING A FORESTRY INCENTIVES PROGRAM

1/24 INTRODUCED
 1/25 REFERRED TO NATURAL RESOURCES
 1/25 FIRST READING
 1/25 FISCAL NOTE REQUESTED
 1/31 FISCAL NOTE PRINTED
 1/31 FISCAL NOTE RECEIVED
 2/23 TABLED IN COMMITTEE

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0191, as introduced.DESCRIPTION OF PROPOSED LEGISLATION:

The proposed legislation would generally revise motor vehicle registration and titling laws; delete the requirement for certification of liability insurance on the registration receipt; provide for the issuance of special-purpose license plates by creating a generic plate with a design or decal indicating the special purpose; creating a new class of dealer plate for recreational vehicle dealers; allowing for replacement plates instead of issuing duplicate plates; and other related provisions.

ASSUMPTIONS:

1. There will be 6,000 summons written and collected each year of the 1993 biennium by Justice of the Peace courts in connection with motor vehicle violations under Title 61, Chapter 3, MCA. The average amount collected under current law is \$25 per summons and is estimated to increase to \$35 under the proposed law, in connection with the increase in the maximum fine from \$25 to \$500. It is further assumed that the effective date for the increase will be October 1, 1991.
2. Most of the changes in the bill represent cleanup or consolidation of existing law; therefore, no material impact is estimated on expenditures of the Motor Vehicle Division or other divisions of the Department of Justice.
3. Fiscal impact is calculated based on an effective date of October 1, 1991, since no date is specified.

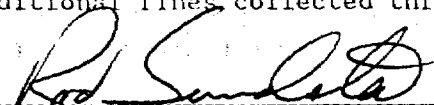
FISCAL IMPACT:Revenues:

Revenue from motor vehicle violations (Title 61, Chapter 3, MCA):

	FY 92			FY 93		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
General Fund (01)	17,250	22,425	5,175	17,250	24,150	6,900
State Special (02)	57,750	75,075	17,325	57,750	80,850	23,100
County Revenue	75,000	97,500	22,500	75,000	105,000	30,000
Total	150,000	195,000	45,000	150,000	210,000	60,000

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

Counties would be expected to receive additional revenue in statewide amounts of \$22,500 during FY92 and \$30,000 during FY93 from additional fines collected through Justice of the Peace courts.


 ROD SUNDSTED, BUDGET DIRECTOR
 Office of Budget and Program Planning

DATE


 THOMAS A. (TOM) BECK, PRIMARY SPONSOR

DATE

Fiscal Note for SB0191, as introduced

3B 191

MINUTES

MONTANA SENATE 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS & TRANSPORTATION

Call to Order: By SENATOR CECIL WEEDING, Chairman, on February 7, 1991, at 3:00 p.m.

ROLL CALL

Members Present:

Cecil Weeding, Chairman (D)
Bill Farrell (R)
John Harp (R)
Francis Koehnke (D)
Jerry Noble (R)
Jack Rea (D)
Lawrence Stimatz (D)
Larry Tveit (R)

Members Excused:

Betty Bruski, Vice Chairman (D)

Staff Present: Paul Verdon (Legislative Council).
Pat Bennett, Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Announcements/Discussion:

None.

HEARING ON SENATE BILL 191

Presentation and Opening Statement by Sponsor:

SENATOR TOM BECK, District #24, said SB 191 is at the request of the Department of Motor Vehicles. This bill is basically a house cleaning bill, but does have a few major changes.

Proponents' Testimony:

BUD SCHOEN, Registrar of Motor Vehicles in Deer Lodge, representing the Department of Justice, explained the bill section by section.

PETER FUNK, Assistant Attorney General assigned to represent Motor Vehicle Division, stated he would go over, what could be the controversial sections of the bill. These sections are: 8, 12, & 15. In Section 8 changes are made to the special license plate process. What is proposed in that section, with the several varieties of special plates available, is to create a single series of generic plates. The number will still be on the left side of the plate and each special interest group will be assigned a sticker for the right side of the plate. Currently there is a bill to provide special plates for Pearl Harbor survivors, and more and more are being requested and the cost is going up to stamp the plates. Section 12 changes the maximum fine amount for vehicle registration violations from \$25 up to \$500. Except in the motor vehicle code, every misdemeanor offense in the State of Montana provides for, at the discretion of the court, a fine up to the maximum of \$500. A \$25 fine does not motivate people to do much of anything. Section 15 concerns the insurance certification process with the County Treasurers. Under present law, an applicant is required to sign a portion of the registration receipt verifying that he has liability insurance as required by the code. The County Treasurers Office do not even ask that a person sign these. People driving without liability insurance is a huge problem. The statute has been changed several times, it used to be you had to show proof of insurance card and the public had an outcry about it. They felt it was terribly inconvenient. It has been watered down so much, it doesn't appear to accomplish that much. Mr. Funk stated that unless the effectiveness of the process is improved on the up front end of registration, otherwise don't even bother. He stated there is a bill in the House which is designed to tighten that up front process. The Department has no problem with requiring that a person show an individual policy.

Opponents' Testimony:

None.

Questions From Committee Members:

SENATOR FARRELL asked what the falsification penalty is.

PETER FUNK stated that is the standard \$500 misdemeanor fine. A separate fine which can be imposed for failing to have mandatory liability insurance. However, if you sign that treasurer's card certifying you have insurance, and you actually do not have it and are later arrested, you can be charged with two separate offenses. First for the unsworn falsification under the title 45 provision and then for operating a vehicle without the required liability. They usually are only cited for operating without insurance.

SENATOR FARRELL asked why they are not prosecuting. Why don't highway patrol officers and city policemen prosecute.

PETER FUNK said because 50% of the registration receipts are not signed and it is no offense unless you have signed it.

SENATOR FARRELL asked if we have county officials who are not following state law.

PETER FUNK stated that in the last four years he has never been asked to sign the receipt in Lewis and Clark County.

CHAIRMAN WEEDING asked if there is not a penalty for failure of getting this information to the treasurer.

PETER FUNK said no there is not.

SENATOR FARRELL asked why they do not prosecute.

PETER FUNK stated that they have a system that is administered by the Motor Vehicle Division, and the County Treasurers are agents. There is no language in the code that says who is the boss and who takes direction.

Closing by Sponsor:

SENATOR BECK closed the hearing on Senate Bill 191.

HEARING ON HOUSE BILL 23

Presentation and Opening Statement by Sponsor:

REPRESENTATIVE DOROTHY CODY, District #20, stated that House Bill 23 was at the request of a constituent who works at the Grain Growers in Scooby, Mt. When a farmer comes in and gets gas through Cardtrol and then applies for a rebate, the Department is giving them a lot of problems. She stated that there is still quite a bit of gas operated machinery being used due to the poor economy. The law allows a refund of 60% of the state gasoline license tax paid on gasoline purchased for agricultural use.

Proponents' Testimony:

KAY NORENBURG, WIFE (Women Involved in Farm Economics) and Montana Grain Growers Association, expressed support for HB 23.

Opponents' Testimony:

None.

EXECUTIVE ACTION ON SENATE BILL 191Discussion:

BUD SCHOEN, Administrator, Registrar Motor Vehicles, stated they are combining all special plates into one section and leaving the left side of those plates blank for a symbol or decal. If the Pearl Harbor bill passes, there are approximately 50 survivors, of those only approximately 20 plates will be issued. It is cheaper for Motor Vehicles to silk screen a design on the left side rather than to get a dye to stamp a design. He stated they would like to have the option to provide a decal or to use silk screening.

CHAIRMAN WEEDING asked about Representative Dolezal's concerns.

BUD SCHOEN said he spoke with Representative Dolezal and explained to him what the plans were and Representative Dolezal seem satisfied.

PAUL VERDON suggested to the Committee to include a coordination instruction in SB 191 to refer to HB 98, saying that if it is passed and approved it will be to the same provisions as applied in Subsection 10.

SENATOR FARRELL requested an amendment to be drawn up by Paul Verdon regarding Section 15. He asked Paul Verdon to draft an amendment that will strike Section 15 and to say that county revenue from the state special revenue fund, the highway funds can be withheld if they do not comply with Section 15.

SENATOR TVEIT said the stricken language states you have to show proof to the county treasurer. You would have to put the stricken language back in.

PAUL VERDON stated that if you just strike Section 15, 61-6-302 would remain the same as it was.

Motion:

SENATOR HARP MOVED that a coordination clause be included to coordinate SB 191 upon approval of HB 98.

MOTION PASSED UNANIMOUSLY.

is true, and the amendments are ok on SB 164, a reduction of a number of fulltime employee positions would not have any reflection on the number of personnel needed to carry out the responsibilities of the division. Mr. Langdorf said if that is the case, then there would be no argument to the amendment.

Closing by Sponsor:

SEN. HARP thanked the committee for a good hearing. He wanted to address a couple of issues: 1) he is a union contractor and the place for this negotiation is in a bargaining agreement and not in this bill. He said this is not in its proper form. It was offered in the Senate Highway's committee and quickly rejected; and 2) since this bill left the Senate, and the addition of the Motor Carrier's Division, he felt the amendment is appropriate and hoped the committee would accept them. SEN. HARP said the issue of the McCarty Farm case will stay alive and will be taken care of under the DOT.

HEARING ON SB 191

Presentation and Opening Statement by Sponsor:

SEN. TOM BECK, Senate District 24, said this bill deals with the revising of motor vehicle registering and titling laws. There are a number of issues in the bill that will expedite the process of registering motor vehicles. This is also a cleanup bill. There is a number of special interest license plates, e.g., Pearl Harbor plates, veteran, handicapped and many others. This bill deals with a generic plate that an emblem can be placed on that will designate the same thing. This should save the motor vehicle division from having to purchase the dyes for the different plates.

Proponents' Testimony:

Bud Schoen, Department of Justice, Motor Vehicle Division (MVD), distributed his testimony. EXHIBIT 5 He said the proposed definition of a motor home is the standard definition as used by the Recreation Vehicle Industry Association and adopted by the American Association of Motor Vehicle Administrators. The current definition is so broad that conversion vans with no accommodations are being registered as motor homes to take advantage of the flat fee, which in many cases is much less than the 2% property tax. He addressed section 11, regarding the weed fees are not paid when current plates are being transferred to a replacement vehicle. He said this section was not amended in the 1989 Legislature to show that change.

Peter Funk, Assistant, Attorney General's Office (AG), addressed two issues: 1) as the bill was drafted the AG's office proposed to eliminate the current system of certification to the possession of automobile insurance at the local treasurers office when purchasing the registration. This is an existing

requirement that is in law now. The requirement is twofold: (a) it depends on the county treasurer whether the registration is certified or not; (b) what is being done to determine if a person has insurance or not. Mr. Funk said all a person has to do is sign the form that states they do have insurance whether they do or not. It is a criminal offense for anyone driving without the required liability insurance. This is the only way to deal with the problem, instead of placing the burden on the county treasurers and members of the public to go through this process when it wasn't working. Section 15 was removed from the bill. He said it looks like the statutes were removed, but they were removed when the bill was proposed. Nothing in this form of the bill is being done with those statutes at all. That process will remain as it currently exists. The one thing the Senate did was to substitute that section to provide for a reduction of highway funds for a county that fails to enforce these provisions to require liability insurance. Mr. Funk said his department feels the system would work best if it was left to the criminal sanction that is applied for people that are driving without insurance. He and Valencia Lane, Legal Counsel, talked about some possible conflicts between the provisions of this bill and HB 557, that concerns license plates for disabled veterans and their ability to get the different license plates assuming they qualify for the issuance of those other types of plates as well as the regular plates. They are working on the two bills to develop an amendment to coordinate HB 557 and SB 191. He urged the committee to adopt the amendments in their final form, because they eliminate most of the necessity of the other bill.

Cort Harrington, Montana County Treasurer's Association, said they support this bill with the exception of the Senate amendments regarding the certification of insurance and ties made to the highway fund.

Opponents' Testimony: None

Questions From Committee Members:

REP. ELLIS asked about the County Treasurer's bill. The Department of Justice has the modern bill to rearrange the way vehicles are registered, which means that more of this will be done by mail if either one of the bills are approved and the people forgetting to sign on the mail renewal card that they have insurance. Mr. Funk said if the system exists as it does now, there will be a number of these renewal cards sent back. He said it appears at this time that the renewal cards will be sent back to the County Treasurer's office instead of Motor Fuel's Division under the modern proposal. Mr. Funk said if his office were to receive any of these under the modern proposal, they would send them back under the existing law. He said if the County Treasurer's followed the statutes, they would have to send the renewals back also.

REP. FELAND asked Mr. Schoen about section 12 that increases the

penalty for registration violations from \$25 to \$500, if it wouldn't be better to raise it to \$200. Mr. Schoen said anything would be better than the \$25.

REP. TUNBY asked Mr. Funk if it is still the case if a person is caught without registration of their vehicle, that it is a \$250 fine. Mr. Funk said that is correct.

REP. MADISON asked Mr. Schoen if it isn't the case that a person that doesn't have liability insurance in the first place they just can't afford it, so if they were charged \$10,000, they still wouldn't be able to afford it. Mr. Schoen said he has seen where a person that didn't have insurance was sent by the judge to obtain insurance and show proof, then pay the difference of the insurance and the \$250.

Closing by Sponsor:

SEN. BECK thanked the committee for a good hearing. He commented on the \$250 fine. If a person does not have the registration card in their vehicle and it states in the presiding law, if they do have insurance and present it to the judge, they will give that money back or reduce the fine. He said if the vehicle wasn't registered and that person was fined \$300, then they have to purchase a registration and update their insurance, than the judge could reduce that to a \$25 or \$30 fine. There are options in the bill, but questioned the \$500 fine. He said it isn't fair for the county treasurers to withhold the gas tax. He said the committee could take that amendment off.

HEARING ON SB 273

Presentation and Opening Statement by Sponsor:

SEN. BERNIE SWIFT, Senate District 32, Hamilton, said this is a cleanup bill. In 1988, the GVW had a policy to prohibit chip trucks from the bridge formula. This was to be placed into statutory law in the 1989 Legislature, but there were too many other things going on that prohibited this. If this isn't taken care of they will have to adhere to the bridge formula and will lose about 1,000 to 2,000 lbs. per load because of the configuration of the axles on their units. A similar occurrence happened in 1983 on log trucks with 6 axles. HB 589 provided the log trucks with the ability to have 5 axles and carry 80,000 lbs. He said this is the same problem the log trucks had in configuration to comply with the bridge formula, because the logs themselves determine the length of that load. He said this needs to be discussed to see if it will affect Montana in conjunction with the Federal Highway Department. EXHIBITS 6 and 7

Proponents' Testimony:

Gary Gilmore, Administrator of Operation's Division, Department of Highways, distributed EXHIBIT 8. It describes the axle

SENATE BILL NO. 191 - STATEMENT

EXHIBIT 5
DATE 3-18-91
#B SB 191

PREPARED BY: Daryll E. (Bud) Schoen
Chief, Registrar's Bureau
Motor Vehicle Division
Department of Justice

Date: February 7, 1991

- Section 1** **Page 2** - The proposed definition of a motor home is the standard definition as used by the Recreation Vehicle Industry Association and adopted by the American Association of Motor Vehicle Administrators. The current definition is so broad that conversion vans with no accommodations are being registered as motor homes to take advantage of the flat fee, which in many cases is much less than the 2% property tax.
- Section 2** **Page 3, Line 6** - Added "manufacturers" to record keeping duties. The responsibility of licensing manufacturers was transferred to the Department of Justice ten years ago.
- Page 3, Beginning on Line 25** - The complete address of lienholders is needed. Quite often only the city and state is provided.
- Section 3** **Page 5, Line 22 and 23** - At the present time the owner of a vehicle must sign their name on the reverse side of the title. There is no more room on the reverse side to accommodate new changes or additions that may be required by federal or state statutes. Restricting the seller's signature to the reverse side of the title should be eliminated.
- Page 7, Lines 12 and 13** - Under our present statute, when the ownership of a vehicle is being transferred by operation of law, such as divorces, estates and bankruptcies, the person applying for a transfer of ownership must complete a separate original title application form, even though the applicant may have a properly executed Montana title. This is an unnecessary duplication of paperwork.
- Page 8, Lines 14 through 17** - At the present time we are accepting repossession affidavits from 18 other states because the content of their forms is similar to that which is required on our forms. Dealers who purchase vehicles at auto auctions that were repossessed in one of the other 31 jurisdictions must request the out-of-state lienholder to obtain a repossession title in the lienholder's name before the title can be transferred in Montana. This creates quite a burden on dealers, consumers and county clerks. It is proposed that repossession affidavits be accepted from all 49 jurisdictions.
- Section 4** **Page 10, Line 24** - The statute is not clear who should sign the title. It should be the registered owner.

and 17 - Page 12, Lines 15 and 16 - The federal government reminded meter disclosure statutes do not include the federal requirement of a

EXHIBIT 5

DATE 3-18-91

HB SB 191

and 9 - Delete the requirement that the license number for the previous year on the registration receipt. In the years that validation decals are issued for the previous year is the same as the license number for the year the automated motor vehicle file retains a four year license plate history of previous license numbers for replacement plates and new general issue plates. No need for a preceding year license number on a registration receipt.

and 18 and 19 - Prior to the automated motor vehicle system a separate receipt had to be designed for each class of motor vehicle -- cars, trucks, trailers and motorcycles. The one receipt form now accommodates all classes of vehicles.

and 15 through 17 - Section 61-4-103 was amended in 1985 to provide for the use of "RV" plates. Section 61-3-332(1) was amended at that time to include "RV" plates. Also, this section should be amended to include special license plates.

and 5 through 10 - License plates assigned to local government are assigned for the same purpose as those assigned to state government. It is proposed that local government plates are permanent and do not require an annual decal.

and 18 at Line 18 - All provisions for special license plates, except Collegiate plates, are individually listed under 61-3-332, which provides for the general design of Montana license plates. Collegiate license plates were excluded from being authorized to be displayed with unique colors and sequential alpha and numeric characters. The existing provisions to identify these special plates are described as "presentations", "character" or "inscribed words". It is proposed that all plates, including those authorized in the future, be identified by a "design or decal" representative of the special group.

and 5 on Line 5 - This bill was amended to include special license plates for the National Park Service.

and 15 and 16 - If license plates are stolen the department will not issue replacement plates. The stolen plates, if reported, are listed with the National Motor Vehicle Information Center. Replacement plates with different numbers are issued to the owner.

EXHIBIT 5
DATE 3-18-91
HB SB 191

that moved subsection (7) to subsection (8) when current plates are -510) was not amended at

ion violations from \$25 to \$50 in a registration year and fee.

in numbers should include

s burdensome and time consuming to be conducted by other

thorized by statute. "RV"

61-6-302 by deleting the requirement that their vehicle is subject to a reduction of highway 302.

ouse Bill No. 98 providing

cial plates that are now required that the registration fee at the time of registering or renewal notice card that is sent to the owner must not have a renewal card and the owner must produce the required fee to the measurer to stamp on the plate and it is eligible for registration were separate

HOUSE OF REPRESENTATIVES
VISITOR REGISTER

SB 191

COMMITTEE B.
Sen. Beck

PLEASE PRINT

[illegible]

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

study.

Motion/Vote: REP. BERGSAGEL called the question to adopt the amendment. Voice vote was taken. Motion CARRIED 13 to 3 with REP. BERGSAGEL, REP. FELAND and REP. STEPPLER voting no.

Motion/Vote: REP. KNOX MADE THE SUBSTITUTE MOTION THAT SB 178 BE CONCURRED IN AS AMENDED.

Vote: SB 178 BE CONCURRED IN AS AMENDED. Motion CARRIED unanimously.

EXECUTIVE ACTION ON SB 191

Motion: REP. LARSON MOVED SB 191 BE CONCURRED IN.

Discussion: Ms. Lane spoke to amendment #1. The amendment coordinates with REP. PHILLIPS bill regarding the veteran's disabled license plates. EXHIBIT 5

REP. BERGSAGEL called the question to adopt the coordination amendment. Voice vote was taken. Motion CARRIED unanimously.

REP. STEPPLER offered amendment #2. EXHIBIT 6 He divided his amendments into two sections: 1) amendments 1 through 5; and 2) amendment 6.

REP. BERGSAGEL called the question to adopt amendments 1 through 5. Question was called. Voice vote was taken. Motion FAILED 4 to 12 with REP. STEPPLER, REP. BERGSAGEL, REP. TUNBY and REP. GERVAIS voting yes.

REP. STEPPLER spoke to amendment 6. The new section on page 39, places the language back in that had previously been removed. It is not the treasurers responsibility to find out if a person that signs their signature stating they have car insurance, do or not.

REP. LARSON called the question to adopt amendment 6. EXHIBIT 6 Voice vote was taken. Motion CARRIED unanimously. EXHIBIT 7

Motion/Vote: REP. LARSON MADE A SUBSTITUTE MOTION THAT SB 191 BE CONCURRED IN AS AMENDED. Question was called. Voice vote was taken.

Vote: SB 191 BE CONCURRED IN AS AMENDED. Motion CARRIED 15 to 1 with REP. BERGSAGEL voting no.

EXECUTIVE ACTION ON SB 273

Motion: REP. LARSON MOVED SB 273 BE CONCURRED IN.

Discussion: REP. NELSON moved to adopt amendment #1. EXHIBIT 8

CHAIRMAN STANG said this amendment removes the chip trucks from

HOUSE STANDING COMMITTEE REPORT

March 21, 19

Page 1 of

Mr. Speaker: We, the committee on Highways and Transportation report that Senate Bill 191 (third reading copy -- blue) be concurred in as amended.

Signed: Barry Stang, Chairman

Carried by: Rep. Stepler

And, that such amendments read:

1. Title, line 12.

Following: "PURPOSE;"

Insert: "PROVIDING THAT A DISABLED VETERAN HAS THE OPTION OF RECEIVING A HANDICAPPED LICENSE PLATE OR, IF QUALIFIED, AN EX-PRISONER OF WAR LICENSE PLATE;"

2. Page 22, line 9.

Following: "'DV'"

Insert: "or the handicapped license plate provided for in 61-3-445"

3. Page 22, line 14.

Following: "chapter."

Insert: "A disabled veteran who meets the requirements for issuance of a 'DV' license plate and who also qualifies for the issuance of an ex-prisoner of war license plate may obtain the ex-prisoner of war license plate upon payment of the same \$5 fee."

4. Page 41, line 11 through page 45, line 10.

Strike: section 15 in its entirety

Insert: "Section 15. Section 61-6-302, MCA, is amended to read: '61-6-302. Proof of compliance. (1) Except as provided in subsection (2), before any applicant required to register his motor vehicle may do so, the applicant must certify to the county treasurer that he possesses an automobile liability insurance policy, a certificate of self insurance, or a posted indemnity bond or that he is eligible for an exemption under 61-6-203 covering the motor vehicle. The certification shall be on a form prescribed by the department. The department may immediately cancel the registration and license plates of the vehicle upon

March 21, 1991

Page 2 of 2

~~notification that the insurance certification was not correctly represented. Any person who intentionally provides false information on an insurance certification is guilty of unsworn falsification to authorities, punishable as provided in 45-7-203.~~

~~(2) An applicant for registration of a motor vehicle who wishes to register the vehicle by mail must sign a statement on the application stating that the applicant is in compliance with the financial liability requirements of 61-6-301.~~

(3) An owner of a motor vehicle who ceases to maintain the insurance or bond required under 61-6-301 or whose certificate of self-insurance is canceled or whose vehicle ceases to be exempt under 61-6-303 shall immediately surrender the registration and license plates for the vehicle to the county treasurer for delivery to the department and may not operate or permit operation of the vehicle in Montana until insurance has again been furnished as required and the vehicle is again registered and licensed.

(4)(2) Every A person shall carry in a motor vehicle being operated by him an insurance card approved by the department but issued by the insurance carrier to the motor vehicle owner as proof of compliance with 61-6-301. A motor vehicle operator shall exhibit the insurance card upon demand of a justice of the peace, a city or municipal judge, a peace officer, a highway patrol officer, or a field deputy or inspector of the department. However, no A person charged with violating this subsection may not be convicted if he produces in court or the office of the arresting officer proof of insurance valid at the time of his arrest."

Amendments to Senate Bill No. 191
Third Reading Copy

Requested by Representative Steppler
For the Committee on Highways

Prepared by Greg Petesch
March 19, 1991

1. Title, lines 21 and 22.

Strike: lines 21 and 22 in their entirety

2. Title, line 23.

Strike: "15-70-101."

3. Title, page 2, line 1.

Strike: "AND"

Following: "7"

Insert: "AND 61-6-302," *selected*

4. Page 34, line 23.

Following: "and"

Insert: "for a first conviction"

Following: "fine"

Insert: "of"

5. Page 34, line 24.

Strike: "exceeding"

Insert: "less than \$10 or more than \$100 or by imprisonment for not more than 10 days. For a second conviction within 1 year after a first conviction, a person is punishable by a fine of not less than \$25 or more than \$200, by imprisonment for not more than 20 days, or by both a fine and imprisonment. Upon a third or subsequent conviction within 1 year after the first conviction, a person is punishable by a fine of not less than \$50 or more than"

Following: "\$500"

Insert: ", imprisonment for not more than 6 months, or by both a fine and imprisonment"

6. Page 41, line 11 through page 45,, line 10.

Strike: section 15 in its entirety

Insert: "Section 15. Section 61-6-302, MCA, is amended to read:

"61-6-302. Proof of compliance. (1) ~~Except as provided in subsection (2), before any applicant required to register his motor vehicle may do so, the applicant must certify to the county treasurer that he possesses an automobile liability insurance policy, a certificate of self-insurance, or a posted indemnity bond or that he is eligible for an exemption under 61-6-303 covering the motor vehicle. The certification shall be on a form prescribed by the department. The department may immediately cancel the registration and license plates of the vehicle upon notification that the insurance certification was not correctly represented. Any person who intentionally provides false information on an insurance certification is guilty of unsworn~~

~~falsification to authorities, punishable as provided in 45-7-203.~~

~~(2) An applicant for registration of a motor vehicle who wishes to register the vehicle by mail must sign a statement on the application stating that the applicant is in compliance with the financial liability requirements of 61-6-301.~~

~~(3)~~ An owner of a motor vehicle who ceases to maintain the insurance or bond required under 61-6-301 or whose certificate of self-insurance is canceled or whose vehicle ceases to be exempt under 61-6-303 shall immediately surrender the registration and license plates for the vehicle to the county treasurer for delivery to the department and may not operate or permit operation of the vehicle in Montana until insurance has again been furnished as required and the vehicle is again registered and licensed.

~~(4)~~(2) Every A person shall carry in a motor vehicle being operated by him an insurance card approved by the department but issued by the insurance carrier to the motor vehicle owner as proof of compliance with 61-6-301. A motor vehicle operator shall exhibit the insurance card upon demand of a justice of the peace, a city or municipal judge, a peace officer, a highway patrol officer, or a field deputy or inspector of the department. However, ~~no~~ A person charged with violating this subsection may not be convicted if he produces in court or the office of the arresting officer proof of insurance valid at the time of his arrest.""

EXHIBIT 7
DATE 3-20-91
HB SB 191

Amendments to Senate Bill No. 191
Third Reading Copy (BLUE)

For the Committee on Highways and Transportation

Prepared by Valencia Lane
March 21, 1991

1. Title, line 12.

Following: "PURPOSE;"

Insert: "PROVIDING THAT A DISABLED VETERAN HAS THE OPTION OF RECEIVING A HANDICAPPED LICENSE PLATE OR, IF QUALIFIED, AN EX-PRISONER OF WAR LICENSE PLATE;"

2. Page 22, line 9.

Following: "DV"

Insert: "or the handicapped license plate provided for in 61-3-445"

3. Page 22, line 14.

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Insert: "A disabled veteran who meets the requirements for issuance of a "DV" license plate and who also qualifies for the issuance of an ex-prisoner of war license plate may obtain the ex-prisoner of war license plate upon payment of the same \$5 fee."

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Strike: section 15 in its entirety

Insert: "Section 15. Section 61-6-302, MCA, is amended to read:

"61-6-302. Proof of compliance. (1) ~~Except as provided in subsection (2), before any applicant required to register his motor vehicle may do so, the applicant must certify to the county treasurer that he possesses an automobile liability insurance policy, a certificate of self insurance, or a posted indemnity bond or that he is eligible for an exemption under 61-6-303 covering the motor vehicle. The certification shall be on a form prescribed by the department. The department may immediately cancel the registration and license plates of the vehicle upon notification that the insurance certification was not correctly represented. Any person who intentionally provides false information on an insurance certification is guilty of unsworn falsification to authorities, punishable as provided in 45-7-203.~~

~~(2) An applicant for registration of a motor vehicle who wishes to register the vehicle by mail must sign a statement on the application stating that the applicant is in compliance with the financial liability requirements of 61-6-301.~~

~~(3) An owner of a motor vehicle who ceases to maintain the insurance or bond required under 61-6-301 or whose certificate of self-insurance is canceled or whose vehicle ceases to be exempt under 61-6-303 shall immediately surrender the registration and license plates for the vehicle to the county treasurer for delivery to the department and may not operate or permit~~

EXHIBIT 1
DATE 3-20-91
HB SB 191

operation of the vehicle in Montana until insurance has again been furnished as required and the vehicle is again registered and licensed.

~~(4)~~(2) Every A person shall carry in a motor vehicle being operated by him an insurance card approved by the department but issued by the insurance carrier to the motor vehicle owner as proof of compliance with 61-6-301. A motor vehicle operator shall exhibit the insurance card upon demand of a justice of the peace, a city or municipal judge, a peace officer, a highway patrol officer, or a field deputy or inspector of the department. However, ~~no~~ A person charged with violating this subsection may not be convicted if he produces in court or the office of the arresting officer proof of insurance valid at the time of his arrest.""